



ILLINOIS COMMERCE COMMISSION

February 26, 2004

Norfolk Southern Railway Company,
Petitioner,

Vs.

Illinois Department of Transportation; Blue Ridge Township; Santa
Anna Township; the City of Le Roy; Empire Road District; Village
of Downs; Downs Road District; Old Town Road District; City of
Mansfield; City of Farmer City; Bloomington Road District; City of
Bloomington and McLean County,
Respondents,

Petition to permit the removal of certain existing warning devices
and circuitry; and for the installation of "exempt" and other signage
at certain at grade crossings in Piatt County, DeWitt County and
McLean County, Illinois.

T04-0017

Mr. Neil F. Flynn
Attorney at Law
1035 S. Second St.
Springfield, IL 62704

Dear Mr. Flynn:

Receipt is acknowledged of the original and three (3) copies of the Petition filed February 25, 2004 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, IL 62701 or you may file electronically through E-Docket if you have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-docket account.

Processing and Information Section

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cc: Mr. Victor A. Modeer, IDOT
Mr. Thomas Ambler, NS
Mr. Richard Boyle, NS
Mr. Rick Ray, NS
Blue Ridge Township
Santa Anna Township
City of LeRoy
Empire Road District
Village of Downs
Downs Road District
Old Town Road District
Village of Mansfield
City of Farm City
Bloomington Road District
City of Bloomington
McLean County Highway Engineer

ORIGINAL

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

NORFOLK SOUTHERN RAILWAY COMPANY,)

Petitioner,)

vs.)

Docket No. T04-0017

ILLINOIS DEPARTMENT OF TRANSPORTATION)
BLUE RIDGE TOWNSHIP; SANTA ANNA TOWNSHIP;)
THE CITY OF LE ROY; EMPIRE ROAD DISTRICT;)
VILLAGE OF DOWNS; DOWNS ROAD DISTRICT;)
OLD TOWN ROAD DISTRICT; CITY OF MANSFIELD;)
CITY OF FARMER CITY; BLOOMINGTON ROAD)
DISTRICT; CITY OF BLOOMINGTON AND MCLEAN)
COUNTY)

Respondents,)

Petition to permit the removal of certain existing warning)
devices and circuitry; and for the installation of "exempt")
and other signage at certain at grade crossings in Piatt)
County, DeWitt County and McLean County, Illinois)

TRANSPORTATION DIV

2004 FEB 25 P 2:41

ILLINOIS COMMERCE
COMMISSION

PETITION

NOW COMES Petitioner NORFOLK SOUTHERN RAILWAY COMPANY

("Norfolk Southern"), by through its attorneys Thomas W. Ambler and Neil F. Flynn,
and petitions the Illinois Commerce Commission stating as follows:

1. That Petitioner Norfolk Southern is a "rail carrier" that has been or is
operating a line of railroad in interstate and intrastate commerce including certain tracks
located between MP UM-47.9 at Mansfield, Piatt County and MP UM-78.3 at or near

DOCKETED

FEB 26 2004

Bloomington, Champaign County, Illinois (the "UM Line") passing through Piatt County, DeWitt County and McLean County.

2. The line of railroad which is the subject matter of this Petition is owned and has been operated by Norfolk Southern and is commonly referred to as the Pekin Secondary.

3. The subject UM Line is approximately 30.4 miles in length. The subject UM Line crosses at grade a number of public streets and highways some of which are under the jurisdiction of Respondents Illinois Department of Transportation; City of Mansfield; City of Farmer; Blue Ridge Township; Santa Anna Township; the City of Le Roy; Empire Road District; Village of Downs; Downs Road District; Old Town Road District; Bloomington Road District; City of Bloomington; and McLean County.

4. That along the subject UM Line there are 39 highway-rail at-grade crossings. A list of 39 crossings is contained in Exhibit A to this Petition. (See Exhibit "A")

6. That these 39 crossings are subject to the jurisdiction of the Illinois Commerce Commission under the provisions of the Illinois Commercial Transportation Law (625 ILCS 5/18c-1101 et seq.)

7. That on or about August 28, 1996, Norfolk Southern acquired the subject UM Line from Consolidated Rail Corporation.

8. There have been no train movements over any of the subject crossings for over 8 years.

9. That Norfolk Southern has now filed a Notice of Discontinuance with the Surface Transportation Board for the discontinuance of operations on the subject UM Line and that the Surface Transportation Board issued a Notice of Exemption with

respect to the Notice of Discontinuance. A copy of the Norfolk Southern Notice is attached as Exhibit "B" and a copy of the Surface Transportation Board Notice is attached as Exhibit "C".

CROSSING 1: 1200E

(Milepost UM 48.30; DOT #543 292 Y)

10. That 1200E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. The road is also known as TR 122 B

11. That at this location, 1200E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 1200E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

12. That the subject at grade crossing at 1200E is currently protected by crossbucks.

13. That the average daily motor vehicular traffic over this crossing at 1200E is 225.

CROSSING 2: 1100E

(Milepost UM 49.40; DOT #543 294 M)

14. That 1100E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois.

This road accommodates statewide motor vehicular traffic. The road is also known as TR 96.

15. That at this location, 1100E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 1100E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

16. That the subject at grade crossing at 1100E is currently protected by crossbucks.

17. That the average daily motor vehicular traffic over this crossing at 1100E is 50.

CROSSING 3: 1000E

(Milepost UM 50.30; DOT #543 296 B)

18. That 1000E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as TR 84 A.

19. That at this location, 1000E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 1000E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

20. That the subject at grade crossing at 1000E is currently protected by crossbucks.

21. That the average daily motor vehicular traffic over this crossing at 1000E is 100.

CROSSING 4: 900E

(Milepost UM 51.40; DOT #543 298 P)

22. That 900E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as TR 80.

23. That at this location, 900E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 900E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

24. That the subject at grade crossing at 900E is currently protected by crossbucks.

25. That the average daily motor vehicular traffic over this crossing at 900E is 25.

CROSSING 5: 800E

(Milepost UM 52.40; DOT #543 301 V)

26. That 800E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as TR 64.

27. That at this location, 800E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 800E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

28. That the subject at grade crossing at 800E is currently protected by flashing signals, crossbucks and bells.

29. That the average daily motor vehicular traffic over this crossing at 800E is 275.

CROSSING 6: 725E

(Milepost UM 53.20; DOT #543 303 J)

30. That 725E is a public roadway located within and subject to the jurisdiction of Blue Ridge Township and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as TR 48A.

31. That at this location, 725E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 725E A runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

32. That the subject at grade crossing at 725E is currently protected by crossbucks.

33. That the average daily motor vehicular traffic over this crossing at 725E is 50.

CROSSING 7: INDIANA STREET

(Milepost UM 54.50; DOT #543 304 R)

34. That Indiana Street is a public roadway located within Santa Anna Township, the City of Farmer City and Road District 5, Piatt County, Illinois, and is subject to the jurisdiction of the Illinois Department of Transportation. This road accommodates statewide motor vehicular traffic. This road is also known as IL-54.

35. That at this location, Indiana Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Indiana Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

36. That the subject at grade crossing at Indiana Street is currently protected by flashing signals, crossbucks and gates.

37. That the average daily motor vehicular traffic over this crossing at Indiana Street is 4150.

CROSSING 8: HIGH STREET

(Milepost UM 54.80; DOT #543 305 X)

38. That High Street is a public roadway located within and subject to the jurisdiction of Santa Anna Township and the City of Farmer City and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN3200.

39. That at this location, High Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, High Street runs in an approximately

north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

40. That the subject at grade crossing at High Street is currently protected by flashing signals and bells.

41. That the average daily motor vehicular traffic over this crossing at High Street is 650.

CROSSING 9: ALLEN STREET

(Milepost UM 54.90; DOT #543 306 E)

42. That Allen Street is a public roadway located within and subject to the jurisdiction of Santa Anna Township and the City of Farmer City and is in Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN2900.

43. That at this location, Allen Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Allen Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

44. That the subject at grade crossing at Allen Street is currently protected by flashing signals.

45. That the average daily motor vehicular traffic over this crossing at Allen Street is 1350.

CROSSING 10: MAIN STREET

(Milepost UM 55.60; DOT #543 307 L)

46. That John Street is a public roadway located within and subject to the jurisdiction of Santa Anna Township and the City of Farmer City, and is in Road District 5, Piatt County Illinois. The road accommodates statewide motor vehicular traffic. The road is also known as MUN8000.

47. That at this location, John Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, John Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

48. That the subject at grade crossing at John Street is currently protected by flashing signals.

49. That the average daily motor vehicular traffic over this crossing at John Street is 1100.

CROSSING 11: 1500 N/CHAPEL ROAD

(Milepost UM 56.80; DOT #543 316 K)

50. That 1500 N/Chapel Road is a public roadway located within and subject to the jurisdiction of Santa Anna Township and the City of Farmer City, and is within Road District 5, Piatt County, Illinois. The road accommodates statewide motor vehicular traffic. The road is also known as TR 27 A.

51. That at this location, 1500 N/Chapel Road crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 1500 N/Chapel Road runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

52. That the subject at grade crossing at 1500 N/Chapel Road is currently protected by crossbucks.

53. That the average daily motor vehicular traffic over this crossing at 1500 N/Chapel Road is 10.

CROSSING 12: COUNTY LINE ROAD

(Milepost UM 58.20; DOT #543 319 F)

54. That County Line Road is a public roadway located within and subject to the jurisdiction of Santa Anna Township and the City of Farmer City, and is within Road District 5, Piatt County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as TR 5.

55. That at this location, County Line Road crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, County Line Road runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

56. That the subject at grade crossing at County Line Road is currently protected by crossbucks.

57. That the average daily motor vehicular traffic over this crossing at County Line Road is 75.

CROSSING 13: TR 474A

(Milepost UM 59.80; DOT #543 323V)

58. That 474A is a public roadway located within and subject to the jurisdiction of Empire Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

59. That at this location, TR 474A crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 474A runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

60. That the subject at grade crossing at TR 474A is currently protected by crossbucks.

61. That the average daily motor vehicular traffic over this crossing at TR 474A is 79.

CROSSING 14: TR 458

(Milepost UM 60.30; DOT #543 325 J)

62. That TR 458 is a public roadway located within and subject to the jurisdiction of Empire Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

63. That at this location, TR 458 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 458 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

64. That the subject at grade crossing at TR 458 currently protected by crossbucks.

65. That the average daily motor vehicular traffic over this crossing at TR 458 is 79.

CROSSING 15: US 136

(Milepost UM 61.00; DOT #543 326 R)

66. That US 136 is a public roadway located within and subject to the jurisdiction of the Illinois Department of Transportation, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

67. That at this location, US 136 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, US 136 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

68. That the subject at grade crossing at US 136 is currently protected by flashing signals and crossbucks.

69. That the average daily motor vehicular traffic over this crossing at US 136 is 1200.

CROSSING 16: TR 450

(Milepost UM 52.20; DOT #543 327 X)

70. That TR 450 is a public roadway located within and subject to the jurisdiction of Empire Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

71. That at this location, TR 450 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 450 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

72. That the subject at grade crossing at TR 450 is currently protected by crossbucks.

73. That the average daily motor vehicular traffic over this crossing at TR 450 is 79.

CROSSING 17: EAST STREET

(Milepost UM 64.25; DOT #543 329 L)

74. That East Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN6160.

75. That at this location, East Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, East Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

76. That the subject at grade crossing at East Street is currently protected by crossbucks.

77. That the average daily motor vehicular traffic over this crossing at East Street is 109.

CROSSING 18: CHESTNUT STREET

(Milepost UM 64.35; DOT #543 340 L)

78. That Chestnut Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as FAS1478.

79. That at this location, Chestnut Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Chestnut Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

80. That the subject at grade crossing at Chestnut Street is currently protected by flashing signals.

81. That the average daily motor vehicular traffic over this crossing at Chestnut Street is 5700.

CROSSING 19: MAIN STREET

(Milepost UM 64.40; DOT #543 341 T)

82. That Main Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN6130.

83. That at this location, Main Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Main Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

84. That the subject at grade crossing at Main Street is currently protected by crossbucks.

85. That the average daily motor vehicular traffic over this crossing at Main Street is 409.

CROSSING 20: CEDAR STREET

(Milepost UM 64.45; DOT #543 342 A)

86. That Cedar Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as SBI 119B.

87. That at this location, Cedar Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Cedar Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

88. That the subject at grade crossing at Cedar Street is currently protected by flashing signals.

89. That the average daily motor vehicular traffic over this crossing at Cedar Street is 229.

CROSSING 21: WEST STREET

(Milepost UM 64.55; DOT #543 343 G)

90. That West Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN6100.

91. That at this location, West Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, West Street runs in an approximately

north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

92. That the subject at grade crossing at West Street is currently protected by crossbucks.

93. That the average daily motor vehicular traffic over this crossing at West Street is 209.

CROSSING 22: PINE STREET

(Milepost UM 64.59; DOT #543 344 N)

94. That Pine Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN1150.

95. That at this location, Pine Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Pine Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

96. That the subject at grade crossing at Pine Street is currently protected by crossbucks.

97. That the average daily motor vehicular traffic over this crossing at Pine Street is 309.

CROSSING 23: BUCK STREET

(Milepost UM 64.69; DOT #543 345 V)

98. That Buck Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN6080.

99. That at this location, Buck Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Buck Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

100. That the subject at grade crossing at Buck Street is currently protected by flashing signals and signage.

101. That the average daily motor vehicular traffic over this crossing at Buck Street is 209.

CROSSINGS 24 AND 25: CENTER STREET

(Milepost UM 64.74; DOT #543 346 C and DOT #543 349X)

102. That Center Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and which is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN1140.

103. That at this location, Center Street crosses more than one track of Petitioner Norfolk Southern. That at this crossing, Center Street runs in an approximately north/south direction, while Norfolk Southern tracks run in an approximately east/west direction.

104. That the subject at grade crossings at Center Street are currently protected by crossbucks.

105. That the average daily motor vehicular traffic over the crossings at Center Street are 109.

CROSSING 26: HEMLOCK STREET

(Milepost UM 64.90; DOT #543 347 J)

106. That Hemlock Street is a public roadway located within and subject to the jurisdiction of Empire Road District and the City of Le Roy, and within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN6050.

107. That at this location, Hemlock Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Hemlock Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

108. That the subject at grade crossing at Hemlock Street is currently protected by crossbucks.

109. That the average daily motor vehicular traffic over this crossing at Hemlock Street is 409.

CROSSING 27: TR 405

(Milepost UM 66.20; DOT #543 351 Y)

110. That TR 405 is a public roadway located within and subject to the jurisdiction of Empire Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

111. That at this location, TR 405 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 405 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

112. That the subject at grade crossing at TR 405 is currently protected by crossbucks.

113. That the average daily motor vehicular traffic over this crossing at TR 405 is 79.

CROSSING 28: TR 390

(Milepost UM 67.30; DOT #543 353 M)

114. That TR 390 is a public roadway located within and subject to the jurisdiction of Downs Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

115. That at this location, TR 390 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 390 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

116. That the subject at grade crossing at TR 390 is currently protected by crossbucks.

117. That the average daily motor vehicular traffic over this crossing at TR 390 is 50.

CROSSING 29: TR 366A

(Milepost UM 69.25; DOT #543 356 H)

118. That TR 366A is a public roadway located within and subject to the jurisdiction of Downs Road District, which accommodates statewide motor vehicular traffic.

119. That at this location, TR 366A crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 366A runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

120. That the subject at grade crossing at TR 366A is currently protected by crossbucks.

121. That the average daily motor vehicular traffic over this crossing at TR 366A is 75.

CROSSING 30: SEMINARY ROAD

(Milepost UM 71.71; DOT #543 361 E)

122. That Seminary Road is a public roadway located within and subject to the jurisdiction of Village of Downs and McLean County, and within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as FAS 1480 and CH36.

123. That at this location, Seminary Road crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Seminary Road runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

124. That the subject at grade crossing at Seminary Road is currently protected by flashing signals.

125. That the average daily motor vehicular traffic over this crossing at Seminary Road is 3700.

CROSSING 31: MAIN STREET

(Milepost UM 71.29; DOT #543 363 T)

126. That Main Street is a public roadway located within and subject to the jurisdiction of Village of Downs and Downs Road District, and is within Road District 3. This road accommodates statewide motor vehicular traffic. This road is also known as MUN1120.

127. That at this location, Main Street crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Main Street runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

128. That the subject at grade crossing at Main Street is currently protected by flashing signals.

129. That the average daily motor vehicular traffic over this crossing at Main Street is 309.

CROSSING 32: 2000E

(Milepost UM 72.10; DOT #543 364 A)

130. That 2000E is a public roadway located within and subject to the jurisdiction of Village of Downs and Downs Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

131. That at this location, 2000E crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, 2000E runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

132. That the subject at grade crossing at 2000E is currently protected by crossbucks.

133. That the average daily motor vehicular traffic over this crossing at 2000E is 500.

CROSSING 33: GILLUM ROAD

(Milepost UM 72.89; DOT #543 367 V)

134. That Gillum Road is a public roadway located within and subject to the jurisdiction of Old Town Road District and McLean County, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as FAS1483 and CH29.

135. That at this location, Gillum Road crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Gillum Road runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

136. That the subject at grade crossing at Gillum Road is currently protected by flashing signals and crossbucks.

137. That the average daily motor vehicular traffic over this crossing at Gillum Road is 1650.

CROSSING 34: TR 429

(Milepost UM 73.06; DOT #543 368 C)

138. That TR 429 is a public roadway located within and subject to the jurisdiction of Old Town Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

139. That at this location, TR 429 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 429 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

140. That the subject at grade crossing at TR 429 is currently protected by crossbucks.

141. That the average daily motor vehicular traffic over this crossing at TR 429 is 450.

CROSSING 35: TR 296

(Milepost UM 74.79; DOT #543 370 D)

142. That TR 296 is a public roadway located within and subject to the jurisdiction of Bloomington Road District, and is within Road District 3, McLean, Illinois. This road accommodates statewide motor vehicular traffic.

143. That at this location, TR 296 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 296 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

144. That the subject at grade crossing at TR 296 is currently protected by crossbucks.

145. That the average daily motor vehicular traffic over this crossing at TR 296 is 500.

CROSSING 36: OLD COLONIAL

(Milepost UM 75.5; DOT #543 371 K)

146. That Old Colonial is a public roadway located within and subject to the jurisdiction of Bloomington Road District and McLean County, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as FAU6375 and CH30.

147. That at this location, Old Colonial crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Old Colonial runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

148. That the subject at grade crossing at Old Colonial is currently protected by crossbucks.

149. That the average daily motor vehicular traffic over this crossing at Old Colonial is 350.

CROSSING 37: TR 367

(Milepost UM 76.4; DOT #543 374 F)

150. That TR 367 is a public roadway located within and subject to the jurisdiction of Bloomington Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic.

151. That at this location, TR 367 crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, TR 367 runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

152. That the subject at grade crossing at TR 367 is currently protected by crossbucks.

153. That the average daily motor vehicular traffic over this crossing at TR 367 is 100.

CROSSING 38: WOODRIDGE ROAD³

(Milepost UM 77.3; DOT #543 377 B)

154. That Woodridge Road is a public roadway located within and subject to the jurisdiction of Bloomington Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as FAU6428.

155. That at this location, Woodridge Road crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Woodridge Road runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

156. That the subject at grade crossing at Woodridge Road is currently protected by crossbucks.

157. That the average daily motor vehicular traffic over this crossing at Woodridge Road is 2500.

CROSSING 39: RHODES LANE

(Milepost UM 77.9; DOT #543 378 H)

158. That Rhodes Lane is a public roadway located within and subject to the jurisdiction of Bloomington Road District, and is within Road District 3, McLean County, Illinois. This road accommodates statewide motor vehicular traffic. This road is also known as MUN1001.

159. That at this location, Rhodes Lane crosses the mainline tracks of Petitioner Norfolk Southern. That at this crossing, Rhodes Lane runs in an approximately north/south direction, while Norfolk Southern mainline tracks run in an approximately east/west direction.

160. That the subject at grade crossing at Rhodes Lane is currently protected by crossbucks.

161. That the average daily motor vehicular traffic over this crossing at Rhodes Lane is 950.


WHEREFORE, Petitioner Norfolk Southern requests that the Illinois Commerce Commission direct that this matter be set for public hearing in accordance with law, and thereafter issue an order 1) authorizing Petitioner Norfolk Southern to remove all existing active warning devices and circuitry at each of the 39 crossings which are the subject matter of this Petition; 2) designating as "exempt", in accordance with Section 11-1202(b)(4) of the Illinois Vehicle Code [625 ILCS 5/11-1202(b)(4), each of the 39 crossings which are the subject matter of this Petition; 3) directing that "exempt" signs and "out of service" signs be installed at each of the 39 crossings which are the subject matter of this Petition; 4) directing that the parties take all appropriate action to

implement the Commission's directives; and 5) directing that all costs of these modifications be borne by Petitioner Norfolk Southern.

Respectfully submitted,

Norfolk Southern Railway Company
Petitioner

By: _____

A handwritten signature in cursive script, appearing to read "Neil F. Flynn", is written over a horizontal line.

Dated: February 25, 2004

Neil F. Flynn
Attorney at Law
1035 South Second Street
P.O. Box 37
Springfield, IL 62705-0037
Telephone: 217-544-0261

Thomas W. Ambler
Law Department
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510
Telephone 757-629-2836

CERTIFICATE OF SERVICE

The undersigned certifies that copies of the foregoing instruments were served upon the addresses listed below by mailing true and correct copies via First Class U.S. Mail, postage thereon fully prepaid and depositing the same in the United States Mail, Springfield, Illinois, this 25th day of February, 2004.

Dave Lazarides, Director of Processing
Illinois Commerce Commission
527 East Capitol
Springfield, IL 62701

Sandra Shaw, Clerk
City of Farmer City
105 S. Main
Farmer City, IL 61842-0049

James Easterly, Director
Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Dean Buhrke
Empire Township Highway Commissioner
610 West Center
LeRoy, IL 61752

James D. Lanier
Blue Ridge Township
Highway Commissioner
P.O. Box 586
Mansfield, IL 61854

Sue Marcum, Clerk
City of LeRoy
P.O. Box 151
LeRoy, IL 61752-0151

Ron Bartlett, Supervisor
Blue Ridge Township
P.O. Box 586
Mansfield, IL 61854

Bob Rice, Mayor
City of LeRoy
P.O. Box 151
LeRoy, IL 61752-0151

Mary K. Sjoken, Clerk
Blue Ridge Township
P.O. 328
Mansfield, IL 61854

Rodney Lush
Downs Township Highway Commissioner
208 N. Cleveland
Downs, IL 61736

Mr. John Gillis
Santa Anna Road District Highway
Commissioner
39 Brookview Drive
Farmer City, IL 61842

Jeffrey Schwartz
Vice President
Village of Downs
P.O. Box 18
Downs, IL 61736-0018

Delwin Kirby, Mayor
City of Farmer City
105 S. Main
Farmer City, IL 61842-0049

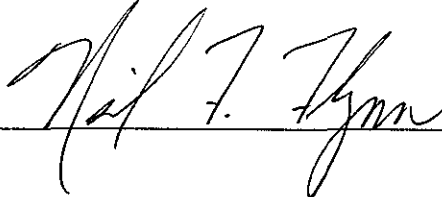
Peggy Ann Milton
County Clerk - McLean County
Room 704 Law & Justice Center
P.O. Box 2400
Bloomington, IL 61702-2400

John Mitchell
County Engineer - McLean County
R.R. 1
Bloomington, IL 61704

Stacey C. Hollo
Special Assistant Attorney General
Illinois Department of Transportation
2300 South Dirksen Parkway/Room 311
Springfield, IL 62764

Phillip Reynolds
Old Town Township Highway Commissioner
8270 N. 2200 E. Road
Downs, IL 61736

Charles Fitzgerald
Bloomington Township Highway
Commissioner
8764 N. 1375 E. Road
Bloomington, IL 61704



Neil F. Flynn
Attorney at Law
1035 South Second Street
P.O. Box 37
Springfield, IL 62705-0037
Telephone: 217-544-0261

EXHIBIT A

CROSSING #	DOT/AAR #	MILEPOST	STREET NAME	HIGHWAY TYPE #	DISTRICT	COUNTY
1	543 292 Y	UM 48.30	1200E	TR 122 B	5	PIATT
2	543 294 M	UM 49.40	1100E	TR 96	5	PIATT
3	543 296 B	UM 50.30	1000E	TR 84 A	5	PIATT
4	543 298 P	UM 51.40	900E	TR 80	5	PIATT
5	543 301 V	UM 52.40	800E	TR 64	5	PIATT
6	543 303 J	UM 53.20	725E	TR 48 A	5	PIATT
7	543 304 R	UM 54.50	INDIANA ST	IL-54	5	DEWITT
8	543 305 X	UM 54.80	HIGH ST	MUN3200	5	DEWITT
9	543 306 E	UM 54.90	ALLEN ST	MUN2900	5	DEWITT
10	543 307 L	UM 55.60	MAIN ST	MUN8000	5	DEWITT
11	543 316 K	UM 56.80	1500 N/CHAPEL RD	TR 27 A	5	DEWITT
12	543 319 F	UM 58.20	COUNTY LINE RD	TR 5	5	DEWITT
13	543 323 V	UM 59.80		TR 474 A	3	MCLEAN
14	543 325 J	UM 60.30		TR 458	3	MCLEAN
15	543 326 R	UM 61.00		US-136	3	MCLEAN
16	543 327 X	UM 62.20		TR 450	3	MCLEAN
17	543 329 L	UM 64.25	EAST ST	MUN6160	3	MCLEAN
18	543 340 L	UM 64.35	CHESTNUT ST	FAS1478	3	MCLEAN
19	543 341 T	UM 64.40	MAIN ST	MUN6130	3	MCLEAN
20	543 342 A	UM 64.45	CEDAR ST	SBI 119B	3	MCLEAN
21	543 343 G	UM 64.55	WEST ST	MUN6100	3	MCLEAN
22	543 344 N	UM 64.59	PINE ST	MUN1150	3	MCLEAN
23	543 345 V	UM 64.69	BUCK ST	MUN6080	3	MCLEAN
24	543 346 C	UM 64.74	CENTER ST	MUN1140	3	MCLEAN
25	543 349 X	UM 64.74	CENTER ST	MUN1140	3	MCLEAN
26	543 347 J	UM 64.90	HEMLOCK ST	MUN6050	3	MCLEAN
27	543 351 Y	UM 66.20		TR 405	3	MCLEAN
28	543 353 M	UM 67.30		TR 390	3	MCLEAN
29	543 356 H	UM 69.25		TR 366 A	3	MCLEAN
30	543 361 E	UM 71.71	SEMINARY ST	FAS1480/CH36	3	MCLEAN
31	543 363 T	UM 71.29	MAIN ST	MUN1120	3	MCLEAN
32	543 364 A	UM 72.10	2000 E		3	MCLEAN
33	543 367 V	UM 73.06	GILLUM RD	FAS1483/CH29	3	MCLEAN
34	543 368 C	UM 73.06		TR 429	3	MCLEAN
35	543 370 D	UM 74.79		TR 296	3	MCLEAN
36	543 371 K	UM 75.50	OLD COLONIAL	FAU6374/CH30	3	MCLEAN
37	543 374 F	UM 76.40		TR 367	3	MCLEAN
38	543 377 B	UM 77.30	WOODRIDGE RD	FAU6428	3	MCLEAN
39	543 378 H	UM 77.90	RHODES LANE	MUN1001	3	MCLEAN

Exh. b. 1 "B"

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-290 (SUB-NO. 249X)

NORFOLK SOUTHERN RAILWAY COMPANY

-- DISCONTINUANCE OF SERVICE --

BETWEEN MANSFIELD AND BLOOMINGTON,
IN MCLEAN, DEWITT AND PIATT COUNTIES, ILLINOIS

NOTICE OF EXEMPTION

COMES NOW Norfolk Southern Railway Company ("NSR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903-10905, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for discontinuance of service of its line of railroad lying between Milepost UM-47.9 at Mansfield and Milepost UM-78.3 at Bloomington, Illinois.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, NSR states as follows:

Traffic Certification - §§ 1152.50(b) and (d)(2)

As the attached certificate of General Manager G. R. Comstock confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years (or any overhead traffic on the line can be rerouted over other lines), and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the discontinuance of service between Milepost UM-47.9 at Mansfield and Milepost UM-78.3 at Bloomington, Illinois, will be March 12, 2004.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Norfolk Southern Railway Company, a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

James R. Paschall
General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2759

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is authority for discontinuance of service of the line. The line for which the discontinuance of service authority is sought consists of 30.4 miles of track between Milepost UM-47.9 at Mansfield and Milepost UM-78.3 at Bloomington, in

McLean, Dewitt and Piatt Counties, Illinois. A map showing the line over which service is to be discontinued, other rail lines in the area, highways, and population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Code 61701, 61702, 61704, 61709, 61710, 61736, 61752, 61791, 61799, 61842 and 61854.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

NSR has received no inquiries about public use of the right of way underlying the line segment over which service is to be discontinued and is unaware of any potential public purposes to which the right of way may be suited. NSR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes, however, NSR has not yet fully researched the matter.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, NSR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, NSR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports; Certifications - § 1105.7 and § 1105.8

Because this notice concerns the discontinuance of service, this proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under section 1105.8(b).

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, NSR certifies that the service and notice requirements of § 1152.50(d)(1)(certain governmental agencies) and § 1105.12 (newspaper notice) have been complied with.

For the foregoing reasons, NSR believes the proposed rail line abandonment is exempt from under 49 U.S.C. §§ 10903-10905 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice.

Respectfully submitted.



C. W. Moorman
Senior Vice President-Corporate Planning
and Services
Norfolk Southern Railway Company

Of Counsel:

James R. Paschall
General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191
(757) 629-2759

Attorney for Norfolk Southern
Railway Company

Dated: January 22, 2004

VERIFICATION

COMMONWEALTH OF VIRGINIA :
: SS:
CITY OF NORFOLK :

C. W. Moorman, being duly sworn, deposes and says that he is Senior Vice President Corporate Planning and Services of Norfolk Southern Railway Company; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-290 (Sub-No. 249X) on behalf of Norfolk Southern Railway Company; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.

C. W. Moorman
C. W. Moorman

Subscribed and sworn to before me
this 2nd day of January, 2004.

Kathy B. Headrick
Notary Public

My commission expires:

6/30/04

[SEAL]

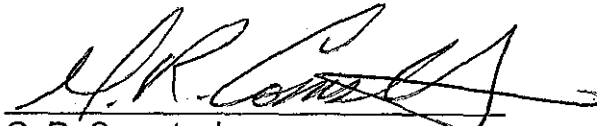
CERTIFICATION

STATE OF GEORGIA:

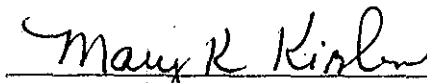
SS:

CITY OF ATLANTA:

G. R. Comstock makes oath and says that he is General Manager Western Region for Norfolk Southern Railway Company; that the line between Milepost UM-47.9 at Mansfield, Illinois and Milepost UM-78.3 at Bloomington, Illinois, over which service is to be discontinued, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.


G. R. Comstock

Subscribed and sworn to before me
this 22nd day of December, 2003.



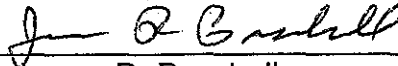
Notary Public

My commission expires:

NOTARY PUBLIC, FULTON COUNTY, GEORGIA
My Commission Expires June 13, 2004

CERTIFICATION

I hereby certify that (1) pursuant to § 1105.12, a notice of intent to abandon rail service was published in The Pantagraph, Bloomington, Illinois on December 20, 2003 (see Exhibit 2); and (2) that the notice required by § 1152.50(d)(1) was given (see Exhibit 3).

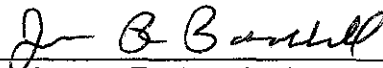


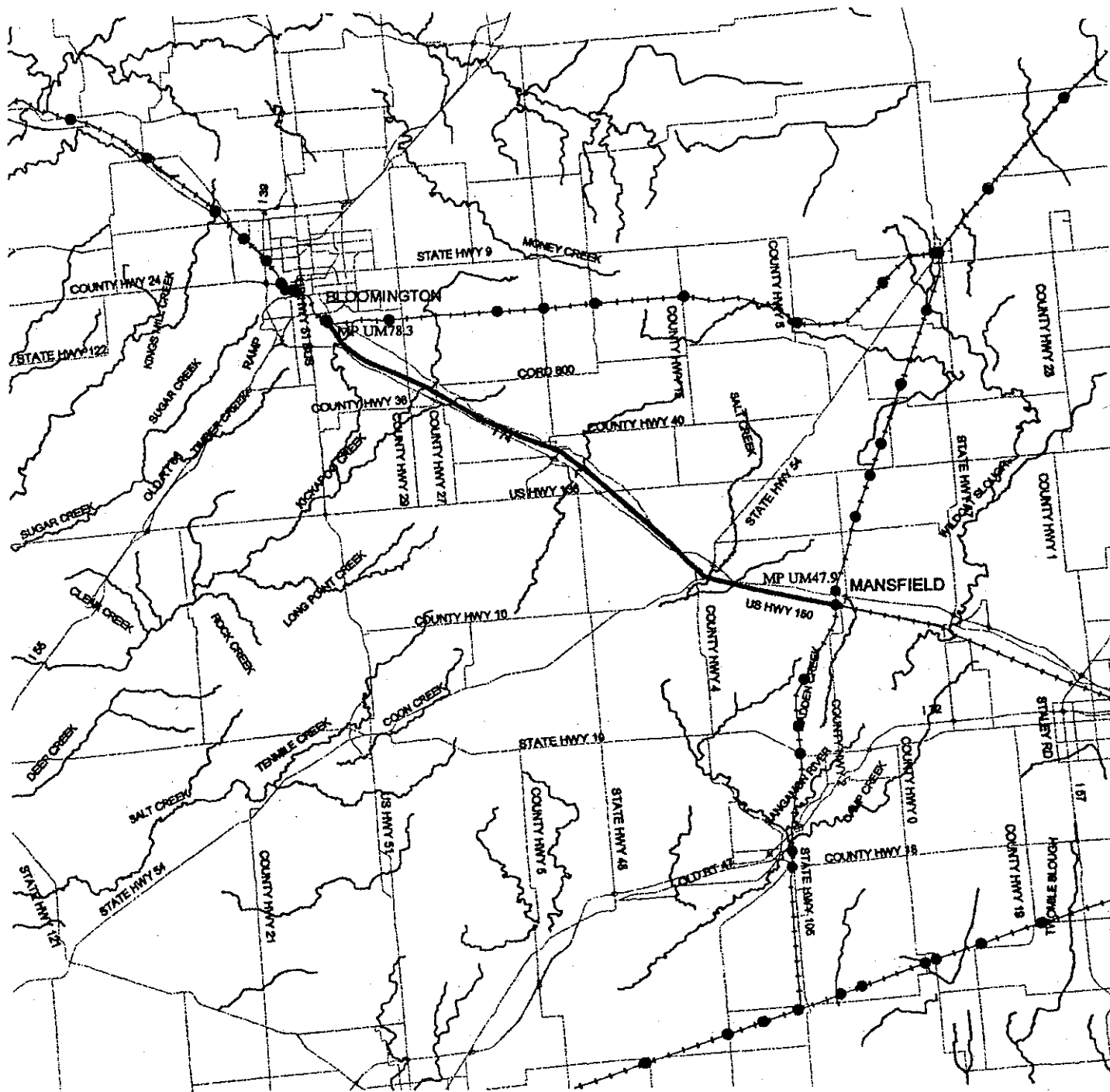
James R. Paschall

Dated: January 22, 2004

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Ms. Mary B. Bushnell, Chairman, Illinois Commerce Commission; the United States Department of Defense (MTMCTEA); Regional Director, National Park Service; National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on January 22, 2004, by first class mail, postage prepaid.


James R. Paschall



0 2 4 6 8 10 12 14 16 18 20 Miles



Owning Company

Office of Chief Engineer - Design & Construction Atlanta, Ga.

Rev.	By	Date	Description
Location	Mansfield to Bloomington, IL		
Title	Proposed Abandonment MP UM 47.9 - 78.3		
Dgn	Val Sec	Map	Mile Post
Dwn RPD	File 188 - 24		Drawing Number TA00 - 0154
Chk	Date	May 24, 2001	

**CADD File
Field Book**

Sheet of

The Pantagraph

301 WEST WASHINGTON ST. P.O. BOX 2907
BLOOMINGTON, ILLINOIS 61702-2907
PHONE 309-829-8000

Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 235109217

Certificate of Publication

ACCOUNT #	20042	DESCRIPTION	notice of intent
AD #	0000386432	SIZE	92.00 li
INVOICE DATE	12/20/2003	TIMES	2
AMOUNT DUE	\$ 203.68	DATES APPEARED	12/20/2003

Paste Tear Sheet Here

The Pantagraph Publishing Co. hereby certifies that it is now and has been for more than one year continuously, d/b/a **The Pantagraph**, a daily secular newspaper of general circulation in said County, printed and published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that **The Pantagraph** is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper.

IN WITNESS WHEREOF, THE SAID PANTAGRAPH PUBLISHING CO. d/b/a **The Pantagraph** has caused its name to be hereunto signed by its Publisher, Financial Director, Accounting Manager on this 20th day of December, 2003

James Bark
By Accounting Manager

STATE OF ILLINOIS,
COUNTY OF MCLEAN
CITY OF BLOOMINGTON

} SS:

Sworn to and subscribed before me
this ____ day of _____, 2003

The costs of advertising and proof,
has been paid.

\$ 203.68

By _____

**NOTICE OF INTENT
TO ABANDON
RAIL SERVICE**
Norfolk Southern Railway Company gives notice that on or about January 22, 2004, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49, CFR 1152 Subpart F- Exempt Abandonments, permitting the discontinuance of service of a 30.4-mile line of railroad between milepost UM-47.9, near Mansfield, and milepost UM-78.3, near Bloomington, which traverses through United States Postal Service ZIP Codes 61701, 61702, 61704, 61709, 61710, 61736, 61752, 61791, 61799.

61842 and 61854 in McLean, Dewitt and Platt Counties, Illinois. The proceeding will be docketed as No. AB-290 (Sub-No. 249X).
The STB's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-565-1545.
Appropriate offers of financial assistance to continue rail service can be filed with the STB. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the STB. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the STB's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a), and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the STB's Office of Public Assistance at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative: James R. Paschall, General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-9241, (757)629-2759.



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9242

James R. Paschall
General Attorney

Writer's Direct Dial Number
(757) 629-2759

January 12, 2004.

Ms. Mary B. Bushnell, Chairman
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62794-9280

Regional Director
National Park Service
1709 Jackson St.
Omaha, NE 68102

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
1849 C Street, N. W. (2310)
Washington, DC 20240-0001

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
201 14th Street, SW at Independence Ave., SW
Washington, DC 20250

Mr. William Shaddox
National Park Service
Land Resources Division
1849 C Street, N. W. (2540)
Washington, DC 20242-0004

Re: STB Docket No. AB-290 (Sub-No. 249X), Norfolk Southern Railway Company –
Discontinuance of Service between Mansfield and Bloomington, Illinois

Ladies and Gentlemen:

Pursuant to 49 CFR 1152.50(d)(1), Norfolk Southern Railway Company (NSR) hereby gives notice that on or about January 22, 2004, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit NSR's discontinuance of service of a 30.4-mile line of railroad lying between Milepost UM-47.9 at Mansfield and Milepost UM-78.3 at Bloomington, in McLean, Dewitt and Piatt Counties, Illinois (see attached map). No revenue traffic has originated or terminated or moved overhead on the line over which service is to be discontinued for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,

James R. Paschall

Exhibit 11 C=

34418

SERVICE DATE - FEBRUARY 11, 2004

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 249X)]

Norfolk Southern Railway Company—Discontinuance of Service Exemption—in McLean,
Dewitt and Piatt Counties, IL

Norfolk Southern Railway Company (NSR) has filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances of Service to discontinue service over a 30.4-mile line of railroad between milepost UM-47.9 at or near Mansfield and milepost UM-78.3 at or near Bloomington, in McLean, Dewitt and Piatt Counties, IL.¹ The line traverses United States Postal Service Zip Codes 61701, 61702, 61704, 61709, 61710, 61736, 61752, 61791, 61799, 61842, and 61854.

NSR has certified that: (1) no traffic has moved over the line for at least 2 years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

¹ By letter filed January 27, 2004, NSR clarified that it does not seek exemption from the requirements of 49 U.S.C. 10904 or 49 U.S.C. 10905. The notice of exemption covers only an exemption from the requirements of 49 U.S.C. 10903.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on March 12, 2004, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA for continued rail service under 49 CFR 1152.27(c)(2),² must be filed by February 23, 2004.³ Petitions to reopen must be filed by March 2, 2004, with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NSR's representative: James R. Paschall, General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

If the verified notice contains false or misleading information, the exemption is void ab initio.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

³ Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: February 4, 2004.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary